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8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 ALEX BEREZOVSKY;

12 Plaintiff,

13 vs.

14 GREGORY MONIZ, an individual; IDELL
15 MONIZ, an individual; BANK OF AMERICA,
16 N.A., WELLS FARGO BANK, N.A.;
FEDERAL HOME LOAN MORTGAGE
17 CORPORATION; and any and all other persons
unknown claiming any right, title, estate, lien or
18 interest in the Property adverse to the Plaintiffs
ownership, or any cloud upon Plaintiffs title
19 thereto (DOES 1 through 10, inclusive);

20 Defendants,

21 FEDERAL HOME LOAN MORTGAGE
CORPORATION;

22 Counterclaimant and
Crossclaimant,

23 v.

24 ALEX BEREZOVSKY; GARDEN TERRACE
25 HOMEOWNERS ASSOCIATION; RED ROCK
FINANCIAL SERVICES,

26 Counter-defendant and Cross-
27 defendants.

Case No. 2:15-cv-01186-GMN-GWF

**BANK OF AMERICA, N.A.'S
UNOPPOSED MOTION TO EXTEND
THE DEADLINE TO OPPOSE
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT**

(FIRST REQUEST)

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1 Defendant Bank of America, N.A. moves this Court for an order extending the deadline to
 2 oppose Plaintiff Alex Berezovsky's previously-filed motion for summary judgment for one week. This
 3 motion is unopposed.

4 POINTS AND AUTHORITIES

5 On June 9, 2015, Plaintiff filed a motion for summary judgment. On June 22, 2015, this
 6 matter was removed to federal court. If the state court calculation for the deadline to oppose the
 7 motion were to remain in effect, the opposition would be due on June 26, 2015. If, however, the
 8 federal rules for calculating the deadline control, the opposition would be due on or about July 3,
 9 2015. Regardless, the parties have conferred, and agree that any opposition need not be due until
 10 July 3, 2015.

11 To the extent that this operates as an extension which requires court approval, good cause
 12 exists for the extension. *See* LR 6-1 (authorizing a party to seek an extension of time). As noted,
 13 this matter was only recently removed to federal court. On June 24, 2015, defendant Federal Home
 14 Loan Mortgage Corporation (**Freddie Mac**) filed its answer in intervention, which includes counter-
 15 claims against other new parties. Given the change in case posture, counsel for Bank of America
 16 contacted Plaintiff to inquire as to next steps in the case, including to determine Plaintiff's position
 17 on whether its motion for summary judgment filed in state court against Bank of America remains
 18 pending or should be withdrawn or refiled, and whether and to what extent a new scheduling order
 19 should issue following removal. These discussions are ongoing, and Plaintiff has advised that it
 20 does not oppose the extension requested in this motion. Accordingly, good cause exists to extend
 21 the deadline to oppose Plaintiff's motion for summary judgment, to the extent the state court
 22 deadline remains valid, until at least **July 3, 2015**.

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1 If the parties cannot come to an agreement on next steps in this case, Bank of America may seek
2 further relief from the Court, or otherwise request a Rule 16 scheduling conference.

3 DATED: June 26, 2015

4 **AKERMAN LLP**

5
6 /s/ Tenesa S. Scaturro

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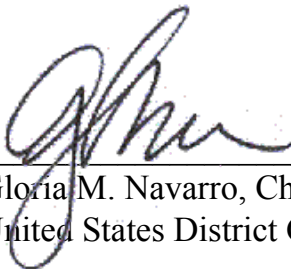
Las Vegas, Nevada 89144

9 *Attorneys for Bank of America, N.A.*

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11
12 **ORDER**

13 **IT HEREBY ORDERED** that the deadline to oppose Plaintiff's motion for summary
14 judgment is extended to July 3, 2015.

15 **DATED** this 7th day of July, 2015.

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19 Gloria M. Navarro, Chief Judge
20 United States District Court
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